

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

BRIAN CHARLES DUBRIN,  
Petitioner,  
v.  
DAVE DAVEY, Custodian,  
California State Prison at Corcoran  
Respondent.

Case No. CV 10-1032-CJC (JC) (“2010 case”)

**MODIFIED ORDER GRANTING  
STIPULATED PROTECTIVE ORDER**

GOOD CAUSE HAVING BEEN SHOWN, IT IS HEREBY ORDERED that the stipulated protective order is granted as modified.

1. Documents and materials from trial counsel’s file from Los Angeles County Case number KA046040 shall be deemed confidential. These documents and materials (hereafter “documents”) may be used only by the Court and by the parties to this federal habeas litigation, namely (1) representatives from the Office of the California Attorney General and (2) petitioner and his representatives at the Office of the Federal Public Defender (hereafter “Parties”). These documents may be used by

1 the Parties only for purposes of any proceedings incident to litigating the claims  
2 presented in the Petition for Writ of Habeas Corpus pending before this Court.

3 2. Testimony regarding conversations between petitioner and his defense  
4 attorney, Ruben Garcia, relating to case number KA046040, including but not limited  
5 to statements about the nature of the charges, potential defenses, defense strategy, any  
6 consequences of conviction, Dubrin's prior convictions and Dubrin's willingness to  
7 plead to any offense, may be used only by the Parties. Information disclosed during  
8 such testimony may be used by the Parties only for purposes of any proceedings  
9 incident to litigating the claims presented in the Petition for Writ of Habeas Corpus  
10 pending before this Court. The Parties may use such information for purposes of  
11 review or appeal of this Court's ruling on the claims.

12 3. The Parties may not disclose the information described in paragraphs (1)  
13 and (2) to any other persons or agencies, including any other law enforcement or  
14 prosecutorial personnel or agencies, without an order from the Court.

15 4. This order shall continue in effect after the conclusion of the habeas  
16 corpus proceedings and specifically shall apply in the event of a retrial or resentencing  
17 of all or any portion of Petitioner's criminal case, except that the Parties maintain the  
18 right to request modification or vacation of this order upon entry of final judgment in  
19 this matter.

20  
21 DATED: \_January 17, 2017

\_\_\_\_\_/s/  
Honorable Jacqueline Chooljian  
U.S. MAGISTRATE JUDGE